

[counsel listed on following page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ZOYA KOVALENKO,

Plaintiff,

v.

KIRKLAND & ELLIS LLP, MICHAEL DE
VRIES, MICHAEL W. DE VRIES, P.C.,
ADAM ALPER, ADAM R. ALPER, P.C.,
AKSHAY DEORAS, AKSHAY S. DEORAS,
P.C., LESLIE SCHMIDT, LESLIE M.
SCHMIDT, P.C., AND MARK FAHEY,

Defendants.

Case No. 4:22-CV-05990-HSG

**STIPULATION AND ORDER TO
EXTEND DEADLINES TO COMPLY
WITH INITIAL DISCOVERY
OBLIGATIONS PURSUANT TO
GENERAL ORDER NO. 71 AND TO
SET BRIEFING SCHEDULE FOR
DEFENDANTS' ANTI-SLAPP MOTION**

[N.D. CAL. CIV. L.R. 6-2]

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21 Plaintiff Zoya Kovalenko
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1 Plaintiff Zoya Kovalenko and Defendants Kirkland & Ellis LLP, Michael De Vries,
 2 Michael W. De Vries, P.C., Adam Alper, Adam R. Alper, P.C., Akshay Deoras, Akshay S.
 3 Deoras, P.C., Leslie Schmidt, Leslie Schmidt, P.C., and Mark Fahey, by and through their
 4 counsel of record, hereby stipulate as follows:

5 WHEREAS, on December 27, 2022, Plaintiff filed an administrative motion to reschedule
 6 the initial Case Management Conference and related deadlines (the “Motion”) (ECF No. 56).

7 WHEREAS, in the Motion, Plaintiff requested the following relief from the Court based
 8 on her statement that she would have inadequate time to prepare for and participate in the Case
 9 Management Conference: (1) reschedule the initial Case Management Conference and related
 10 deadlines; and (2) extend the Parties’ deadlines to comply with their initial discovery obligations
 11 per General Order No. 71 from January 16 and January 18, 2023 to 30 days after briefings related
 12 to the Complaint (including any oppositions, replies, and, as applicable and afforded by the Court,
 13 sur-replies) are submitted to the Court.

14 WHEREAS, on December 28, 2022, the Court terminated the Motion and rescheduled the
 15 initial Case Management Conference to April 6, 2023, thereby automatically extending the
 16 deadlines related to the initial Case Management Conference.

17 WHEREAS, the Court did not expressly rule on Plaintiff’s request to extend the Parties’
 18 deadlines to comply with their initial discovery obligations per General Order No. 71.

19 WHEREAS, Defendants do not object to and stipulate to Plaintiff’s request to extend the
 20 Parties’ deadlines to comply with their initial discovery obligations per General Order No. 71 to
 21 30 days after briefings related to the Complaint (including any oppositions, replies, and, as
 22 applicable and afforded by the Court, sur-replies) are submitted to the Court.

23 WHEREAS, in light of the Court’s Order continuing the initial Case Management
 24 Conference and related deadlines including the Parties’ Rule 26(f) conference, the Parties agree
 25 that it would serve the interests of efficiency and preserve party resources to also extend the
 26 Parties’ deadlines to comply with their initial discovery obligations per General Order No. 71 to
 27 30 days after briefings related to the Complaint (including any oppositions, replies, and, as
 28 applicable and afforded by the Court, sur-replies) are submitted to the Court.

1 WHEREAS, on December 19, 2022, Defendants filed five Motions to Dismiss (ECF Nos.
2 30-31, 34-36), a Motion to Strike (ECF No. 37), a Request for Judicial Notice (ECF No. 29) and
3 an Anti-SLAPP Motion (ECF No. 38) in response to Plaintiff's Complaint (collectively
4 "Defendants' Motions").

5 WHEREAS, the Parties submitted a stipulation on December 20, 2022 (ECF No. 43)
6 stipulating to a specific briefing schedule for Defendants' Motions pursuant to which Plaintiff's
7 oppositions are due on January 17, 2023 and Defendants' reply is due on January 31, 2023, which
8 the Court ordered on December 21, 2023 (ECF No. 44).

9 WHEREAS, Defendants' Motions are scheduled for hearing on April 6, 2023.

10 WHEREAS, on January 4, 2023, Plaintiff asked Defendants to stipulate to a two-week
11 extension for opposing Defendants' Anti-SLAPP motion to January 31, 2023.

12 WHEREAS, on January 5, 2023, Defendants agreed to Plaintiff's request for an extension
13 to file her opposition to the Anti-SLAPP Motion to January 31, 2023 in return for a one-week
14 extension to reply to Plaintiff's opposition to the Anti-SLAPP Motion to February 21, 2023.

15 WHEREAS, on January 5, 2023, Plaintiff agreed to Defendants' proposal.

16 WHEREAS, due to the number of oppositions and replies that are due on January 17 and
17 January 31, 2023 respectively, the Parties have agreed that additional time to file their opposition
18 and reply to one of the motions—the Defendants' Anti-SLAPP motion—would be beneficial to
19 the Parties.

20 WHEREAS, other than the Motion and the Parties' stipulation to set a specific briefing
21 schedule (ECF No. 43), which was ordered by the Court (ECF No. 44), there have been no other
22 time modifications in the case.

23 WHEREAS, the Parties do not anticipate that extending the Parties' deadlines to comply
24 with their initial discovery obligations per General Order No. 71 or the change in briefing
25 schedule on Defendants' Anti-SLAPP motion will have an effect on the case schedule because a
26 case schedule has not yet been set.

27 IT IS HEREBY STIPULATED by the Parties through their respective counsel of record
28 that: (1) the Parties' deadlines to comply with their initial discovery obligations per General

Order No. 71 are extended to 30 days after briefings related to the Complaint (including any oppositions, replies, and, as applicable and afforded by the Court, sur-replies) are submitted to the Court and (2) Plaintiff's opposition to Defendants' Anti-SLAPP Motion is due on January 31, 2023 and Defendants' reply is due on February 21, 2023.

Respectfully submitted,

Dated: January 9, 2023

Plaintiff Zoya Kovalenko

By: /s/ Zoya Kovalenko
ZOYA KOVALENKO
Plaintiff Zoya Kovalenko

Dated: January 9, 2023


MARK R. THOMPSON
Orrick, Herrington & Sutcliffe LLP

By: /s/ Mark R. Thompson
MARK R. THOMPSON
(admitted *pro hac vice*)
Attorneys for Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 1/10/2023


HAYWOOD S. GILLIAM, JR.
United States District Judge